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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,751	12/13/2000	Hiroaki Kubo	15162/02900	6671

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EXAMINER

HO, TUAN V

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 04/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/735,751

Applicant(s)

KUBO ET AL.

Examiner

TUAN HO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: ____. |

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1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 is vague and indefinite because it is not clear to what the last phrase of claim 13 is referred. Claim 13 might read on Fig. 19 or 20; however, the examiner cannot figure how to read the claimed elements into Figs. 19 and 20.

The following rejection is based on the best understanding by the examiner.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 7, 9, 10 and 11 are rejected under 35

U.S.C. 102(b) as being anticipated by Ohmori (US 5,790,193).

With regard to claim 1, Ohmori discloses in Figs. 7 and 8, a digital camera that comprises the reader that can read image data from two or more recording media (display controller 82, receiving control signals from digital camera 12, specifically read image data from image memory 84 or memory card 40 so as to display the image data upon a user's selection, col. 4, lines 35-67 and col. 5, lines 23-29; it is noted that accessory module 10 is a part of digital camera 12 since it is used as a display monitor for picture taking, col. 3, lines 63-64, Fig. 5 col. 4, line 41), display (display 28, col. 4, line 45), and display controller which causes the display to display the information that specifies the recording medium from which the image data was read as well as the image based on the image data (display controller 82 reads image data from memories 84 or 40 so as to display the image data on display 28; where memory card 40 provides controller 82 via memory card controller 86 type of the card and its capacity so that the information can be displayed

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on display 28 to inform the type and capacity of the memory card, col. 5, lines 27-40).

With regard to claim 2, Ohmori discloses in Figs. 7 and 8, a digital camera that comprises the information which specifies the recording medium comprising a name (memory card 40 provides the type of the card to module 10, which is considered as a name so as to be displayed, col. 5, lines 39-41).

With regard to claim 3, Ohmori discloses in Fig. 12, a digital camera that comprises the two card slots (Ohmori discloses in Fig. 12, that unit 18 of module 10 can be modified so as to accept a second card slot 118, col. 6, lines 40-41).

With regard to claim 4, Ohmori discloses in Fig. 12, that that digital camera comprising the information indicating the card slot in which the memory card is mounted (Ohmori discloses: 1) in col. 5, line 40 that memory 40 provides its capacity to be displayed; and 2) in col. 6, line 41 that module 10 can have two card slots 38 and 118; it is noted that the image data of the memories in card slots 118 and 38 can be inherently displayed on display 28; therefore, in order to keep track the type of memory mounted on the slots and capacity of each memory, display controller 82 must inherently display: 1) image data including card slot information for each of memory, for example information "slot 1" or "slot 2"; or 2) image data including a

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card name for each slot, for example "card 1" for slot 38 or "card 2" for slot 118; otherwise, there is no other way for the user to know what card is in use and how much capacity the card has in the case module 10 having two separate card slots; noted that the information is very important since it will inform the user when to replace a card in a particular slot and the displayed image is stored in a particular card).

With regard to claim 7, Ohmori discloses in Figs. 7, 8 and 12, a digital camera that comprises the reader (display controller 82, receiving control signals from digital camera 12, specifically read image data from image memory 84 or memory card 40 so as to display the image data upon a user's selection, col. 4, lines 35-67 and col. 5, lines 23-29; it is noted that accessory module 10 is a part of digital camera 12 since it is used as a display monitor for picture taking, col. 3, lines 63-64, Fig. 5 col. 4, line 41), display (display 28, col. 4, line 45), display controller that, by handling a plurality of items of image data recorded in the two recording media in sequence based on a prescribed rule (display controller 82 reads image data from memories 84 or 40 so as to display the image data on display 28; the user specifies an image stored in memories 84 or 40 to be displayed, col. 5, lines 16-40; it is noted that since the camera can store image data in a memory one at a time in

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memories 84 or 40; thus, the image data is recorded in the memories in a sequence where the sequence is provided by the user such as first recording image data in memory 40 and secondly, recording image data in memory 84), and causes the display to sequentially display the plurality of images in accordance with the sequence (since the user can specify image data stored in memories 84 or 40 to be displayed, the user can select to display the image data in the above sequence such as image data of memory 40 is first selected and the one in memory 84 is secondly selected).

Claim 9 recites what was discussed with respect to claim 7.

Claim 10 recites what was discussed with respect to claim 1.

With regard to claim 11, method claim 11 corresponds to apparatus claim 1 and is analyzed the same with respect to apparatus claim 1.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability

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shall not be negatived by the manner in which the invention was made.

Claims 8 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohmori.

With regard to claim 8, Ohmori discloses the same subject matter as discussed with respect to claim 7, except that the sequence based on the prescribed rule is the ascending or descending order of the recording times for the plurality of items of image data.

Official Notice is taken a digital camera can display recording image data from a memory in accordance with recording times.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the digital camera of Ohmori so that a user can specify an image to be displayed in a sequence based on a prescribed rule that is ascending or descending order of recording times because the sequence based on the recording times would allow a user to observe an image photographed at a particular time after a long trip.

With regard to claim 13, as best understood, claim 13 recites what was discussed with respect to claim 8.

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5. Claims 5, 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohmori in view of Watanabe et al (US 6,686,958).

With regard to claim 5, Ohmori discloses in Figs. 7, 8 and 12, a digital camera that comprises the reader that can read image data from two or more recording media (display controller 82, receiving control signals from digital camera 12, specifically read image data from image memory 84 or memory card 40 so as to display the image data upon a user's selection, col. 4, lines 35-67 and col. 5, lines 23-29; it is noted that accessory module 10 is a part of digital camera 12 since it is used as a display monitor for picture taking, col. 3, lines 63-64, Fig. 5 col. 4, line 41), display (display 28, col. 4, line 45), and display controller which causes the display to display the first image and the second image (display controller 82 reads image data from memories 84 or 40 so as to display the image data on display 28; where memory card 40 provides controller 82 via memory card controller 86 type of the card and its capacity so that the information can be displayed on display 28 to inform the type and capacity of the memory card, col. 5, lines 27-40), except that the display controller causes the display to display essentially simultaneously a first image and second image from the recording media.

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Ohmori does not explicitly disclose any first and second images simultaneously to be displayed on display 28. However, Watanabe et al teaches using a digital camera system that can display information related to internal and external recording medium (icon 38 or 37) and images (windows 39 and 34) corresponding to the recording medium as shown in Figs. 5 and 7, col. 5, lines 1-21).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify display controller 82 of the Ohmori camera as the same fashion as disclosed by Watanabe et al so as to obtain a display controller that causes display 28 display simultaneously a first and second images in memories 128 or 38 and information related to recording medium corresponding to the images. That is because the display of two images simultaneously would allow a user to select and observe different images in different recording medium and thereby to easily select a desired image to erase or transfer.

Claim 6 recites what was discussed with respect to claim 5. Noted that the icons 38 and 32 on display 12 of Watanabe et al indicate which recording medium the images is stored therein.

Claim 12 recites what was discussed with respect to claim 5.

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Haruki discloses a digital camera that includes two memory card.

Sato discloses a method for displaying images stored in a memory.

Saito et al discloses an electronic camera that includes a removable memory card.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO whose telephone number is (703) 305-4943. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WENDY GARBER, can be reached on (703) 305-4924. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

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TUAN HO

Primary Examiner

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